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Witness [redacted]

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Witness [redacted]

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ADDENDUM

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INVESTIGATIVE SUMMARY

ADDENDUM

CASE NUMBER:	**SH2358213**
SUBJECT:	**James Jaimez MH/ 11/19/1984**
STATION/UNIT/BUREAU:	**Major Crimes Bureau/Detective Division**
DATE/TIME:	**June 25, 2014, 1700 hours**
LOCATION:	**Bear Valley Road/Central Road, Apple Valley, CA 92307**

On August 23, 2016, Internal Affairs Investigators were notified of additional surveillance video from the [redacted] The video was not included with the videos provided by the San Bernardino County Sheriff' Department **(Exhibit B)**. On August 24, 2016, IAB Investigators obtained a copy of the video.



County of San Bernardino

Office of the District Attorney

MICHAEL A. RAMOS, District Attorney

September 11, 2015

Sheriff Jim McDonnell
Los Angeles County Sheriff's Department
Hall of Justice
211 West Temple Street
Los Angeles, CA 90012

Dear Sheriff McDonnell,

Enclosed please find our office's conclusions on your department's officer involved shooting re: Lt. Donnie Johnson, Sgt. [redacted] Det. [redacted] Det. [redacted] Det. [redacted] Det. Michael Carpenter, Det. Ruth Shen, Det. [redacted] Det. Jose Arellano, Dep. Arturo Barrera, SBDA STAR number 2014-58190, SBSD DR# 181403525. We anticipate making this report available to the media on Thursday November 5, 2015. When the report is released it will have the name of the civilian witnesses redacted but will identify the involved officers by name. In the absence of legitimate officer safety reasons our office is obligated to release the identity of the involved officers. If you believe such officer safety issues exist please contact me immediately.

We request that you not release our report or any portion thereof to the media or any member of the public until after the release on Thursday, November 5, 2015.

If you have any comments or questions please feel free to contact me at 382-7714.

Sincerely,

Mary Ashley
Assistant District Attorney

MA/lb

Enclosure

CONTENTS NOTED CAPTAIN [redacted] 10/22/15

10/6/15 CONTENTS [redacted] NOTED

cc: Capt. [redacted]
Detective [redacted]
SBSD Specialized Investigation Division

303 West Third Street, 6th Floor, San Bernardino, California 92415-0502 (909) 382-7714 • Fax (909) 382-7674
E-mail address: da@da.sbcounty.gov Web site: www.district-attorney.org

INTEROFFICE MEMORANDUM

DATE: August 9, 2015 **PHONE:** (760) 243-8617

FROM: Donna Kauffman, DDA
Victorville Office

TO: Mary Ashley, Assistant Deputy District Attorney
Clark Hansen, Chief Deputy District Attorney

SUBJECT: **Fatal Officer Involved Shooting**

Officers Involved:
Lieutenant Donnie Johnson
Sergeant [redacted]
Detective [redacted]
Detective [redacted]
Detective [redacted]
Detective Michael Carpenter
Detective Ruth Shen
Detective [redacted]
Detective Jose Arellano
Deputy Arturo Barrera
All are Los Angeles County Sheriff's Deputies

Injured Party: James Jaimez (DOB 11/19/84)
[redacted]

Incident Date: June 25, 2104, 17:00 hours

Case Agent: Detective [redacted] SBSD/Special Investigations; DR# 181403525
STAR# 2014-00-0058190

Location of Incident: [redacted] Bear Valley Road, Apple Valley

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Summary

The following statement of facts is derived from interviews of the involved parties, call logs, photographs and other information as gathered by the San Bernardino County

Sheriff's Specialized Investigation Division, Homicide Unit, during the course of their investigation.

Summary

In June of 2014, the Los Angeles County Sheriff's Department (LASO) Major Crime Team, a team tasked with locating and apprehending known fugitives, was investigating James Jaimez. Jaimez was the primary suspect in a murder that occurred in Los Angeles County in early June 2014. On June 25, 2014, the LASO team tracked Jaimez to a recycling center in the town of Apple Valley. Several undercover units were surveilling Jaimez. At that time, the officers were wearing plain clothes and olive green tactical vests, marked with "SHERIFF" in large gold lettering on the back and a cloth police badge on the front. Several officers also had badges hanging around their necks, identifying themselves as law enforcement officers. The team attempted to take Jaimez into custody but Jaimez began shooting at deputies. Jaimez engaged in a gun battle with LASO deputies ultimately resulting in his death and injuries to an involved detective.

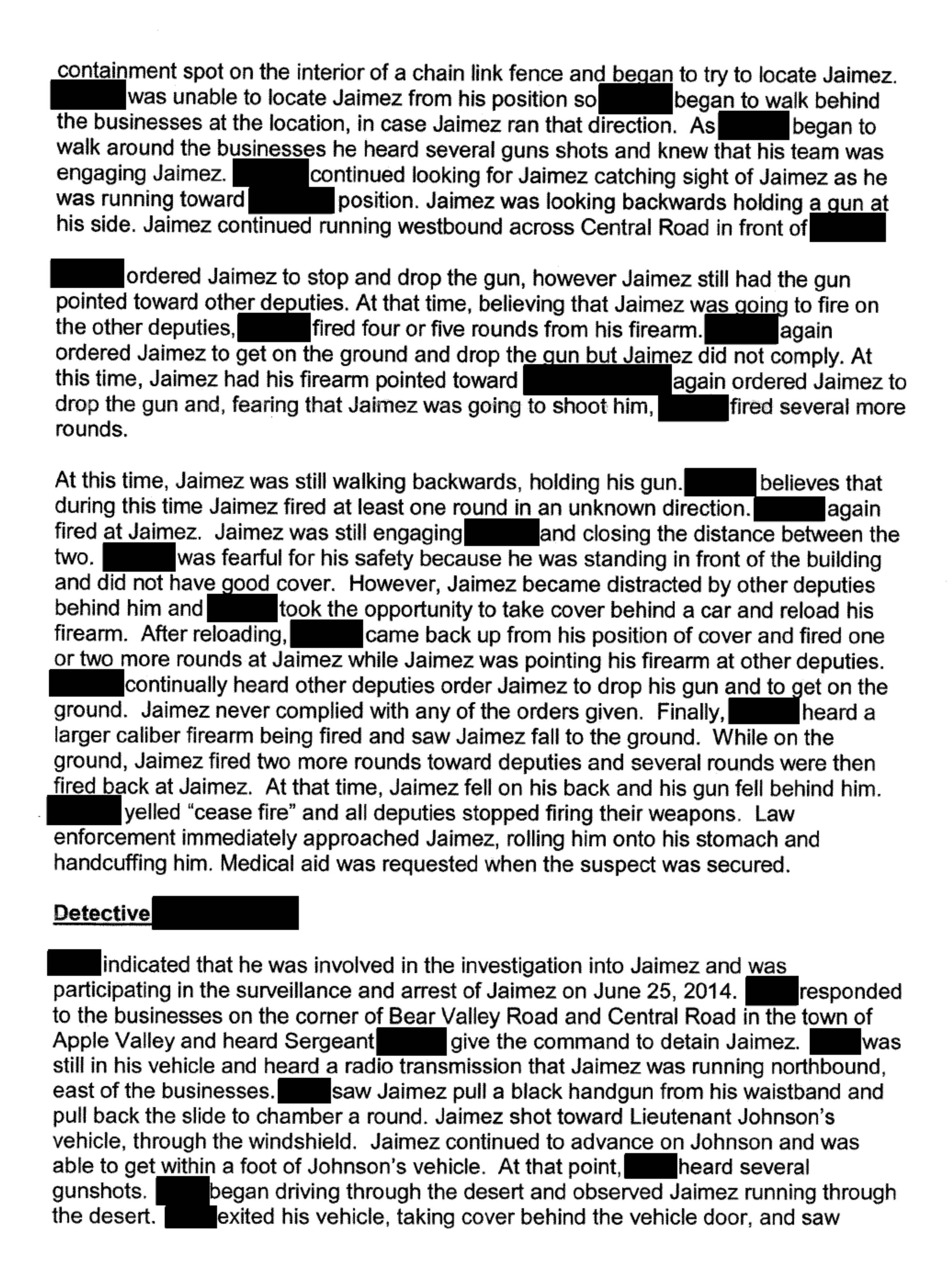
Interviews

Sergeant [redacted]

On June 25, 2014, Sergeant Mykell [redacted] was monitoring phone calls relating to homicide suspect James Jaimez. Sergeant [redacted] team was charged with locating and apprehending Jaimez for the murder. [redacted] tracked Jaimez to a location in the town of Apple Valley and assembled his team in order to contact and apprehend Jaimez. While establishing physical surveillance of the residence Jaimez was at, Jaimez left the residence in a black Nissan Titan pickup. Sergeant [redacted] knew Jaimez to be associated with a black Nissan Titan, and Jaimez was positively identified as the driver of the truck as it passed another surveillance unit. At that time, [redacted] contacted Sergeant [redacted] for the Apple Valley Sheriff's station and requested that two marked units assist in a felony traffic stop of Jaimez. [redacted] heard [redacted] request two units to start toward Jaimez' location.

Los Angeles County officers continued surveillance of Jaimez and followed him to a recycling center at the corner of Bear Valley and Central Road. At that time [redacted] heard a radio broadcast that Jaimez was getting out of his vehicle. It was [redacted] belief that Jaimez knew he was being followed and that Jaimez was exiting his vehicle in order to conduct counter surveillance. [redacted] watched Jaimez and noticed Jaimez intently looking at the passing law enforcement vehicles. At that point, [redacted] put out a radio transmission directing his team to apprehend Jaimez.

While still in his vehicle, [redacted] heard a radio transmission indicating that Jaimez was running. Thinking that Jaimez was running through the recycling center, [redacted] pulled into the parking lot of the recycling center parking his vehicle at an angle. [redacted] took a



containment spot on the interior of a chain link fence and began to try to locate Jaimez. [redacted] was unable to locate Jaimez from his position so [redacted] began to walk behind the businesses at the location, in case Jaimez ran that direction. As [redacted] began to walk around the businesses he heard several guns shots and knew that his team was engaging Jaimez. [redacted] continued looking for Jaimez catching sight of Jaimez as he was running toward [redacted] position. Jaimez was looking backwards holding a gun at his side. Jaimez continued running westbound across Central Road in front of [redacted]

[redacted] ordered Jaimez to stop and drop the gun, however Jaimez still had the gun pointed toward other deputies. At that time, believing that Jaimez was going to fire on the other deputies, [redacted] fired four or five rounds from his firearm. [redacted] again ordered Jaimez to get on the ground and drop the gun but Jaimez did not comply. At this time, Jaimez had his firearm pointed toward [redacted] again ordered Jaimez to drop the gun and, fearing that Jaimez was going to shoot him, [redacted] fired several more rounds.

At this time, Jaimez was still walking backwards, holding his gun. [redacted] believes that during this time Jaimez fired at least one round in an unknown direction. [redacted] again fired at Jaimez. Jaimez was still engaging [redacted] and closing the distance between the two. [redacted] was fearful for his safety because he was standing in front of the building and did not have good cover. However, Jaimez became distracted by other deputies behind him and [redacted] took the opportunity to take cover behind a car and reload his firearm. After reloading, [redacted] came back up from his position of cover and fired one or two more rounds at Jaimez while Jaimez was pointing his firearm at other deputies. [redacted] continually heard other deputies order Jaimez to drop his gun and to get on the ground. Jaimez never complied with any of the orders given. Finally, [redacted] heard a larger caliber firearm being fired and saw Jaimez fall to the ground. While on the ground, Jaimez fired two more rounds toward deputies and several rounds were then fired back at Jaimez. At that time, Jaimez fell on his back and his gun fell behind him. [redacted] yelled "cease fire" and all deputies stopped firing their weapons. Law enforcement immediately approached Jaimez, rolling him onto his stomach and handcuffing him. Medical aid was requested when the suspect was secured.

Detective [redacted]

[redacted] indicated that he was involved in the investigation into Jaimez and was participating in the surveillance and arrest of Jaimez on June 25, 2014. [redacted] responded to the businesses on the corner of Bear Valley Road and Central Road in the town of Apple Valley and heard Sergeant [redacted] give the command to detain Jaimez. [redacted] was still in his vehicle and heard a radio transmission that Jaimez was running northbound, east of the businesses. [redacted] saw Jaimez pull a black handgun from his waistband and pull back the slide to chamber a round. Jaimez shot toward Lieutenant Johnson's vehicle, through the windshield. Jaimez continued to advance on Johnson and was able to get within a foot of Johnson's vehicle. At that point, [redacted] heard several gunshots. [redacted] began driving through the desert and observed Jaimez running through the desert. [redacted] exited his vehicle, taking cover behind the vehicle door, and saw

Jaimez pointing a gun at him. [redacted] heard gunfire but was unable to tell where it was coming from.

[redacted] gave commands for Jaimez to stop while pointing his firearm at Jaimez, however Jaimez continued to run closer to [redacted] position. Fearing for his safety, [redacted] fired two to three shots. Jaimez continued running toward [redacted] while pointing the gun and [redacted] fired approximately ten additional shots at Jaimez. Jaimez stumbled and then continued running around the north side of the business. [redacted] reentered his vehicle and heard radio dispatch that Detective [redacted] had been shot. Other deputies were still engaging in a gun battle with Jaimez and [redacted] saw Jaimez fall to the ground. After the cease fire was ordered, [redacted] and other law enforcement approached Jaimez. Paramedics responded and Jaimez was pronounced deceased.

Detective Jose Arellano

Arellano was part of the team assigned to conduct surveillance and arrest of Jaimez. Arellano was driving toward the area of Bear Valley Road and Central Road in the town of Apple Valley when he heard a radio transmission indicating shots had been fired and that Detective [redacted] had been shot. Arellano drove to the north side of the business at the location. Once stopped, Arellano observed Jaimez about 15 feet from him and Jaimez pointed a dark colored handgun at Arellano. Fearing for his safety, Arellano made a u-turn to create some distance between him and Jaimez. Arellano turned his vehicle back toward Jaimez and saw Jaimez running across Central Road. Jaimez stopped and turned toward Arellano and again pointed the gun at Arellano. Jaimez fired shots at Arellano and his partners. Arellano exited his vehicle and took a position behind his driver's door. Arellano ordered Jaimez to drop the weapon several times and Jaimez ignored the commands, firing four to five rounds towards Arellano and other law enforcement. In an attempt to stop Jaimez, Arellano raised his firearm and fired three to four rounds through the open driver's window of his vehicle. Jaimez fell to the ground and fired additional shots. Arellano again fired at Jaimez and Jaimez rolled to his left side, dropping his firearm. A cease fire was called and Arellano approached Jaimez. Jaimez was pronounced deceased at the scene.

Arellano indicated that each time Jaimez shot it seemed as though Jaimez was concentrating on officers positions and taking aim. Arellano felt Jaimez was trying to hurt or kill him or his partners.

Lieutenant Donnie Johnson

Johnson was participating in the surveillance and arrest of Jaimez on June 25, 2014. When Johnson arrived in the area of Central Road and Bear Valley Road in the town of Apple Valley he drove east behind a [redacted] at the location. Johnson heard radio traffic indicating that Jaimez was running. When Johnson made his next right turn, Jaimez was running directly at him. Johnson stopped his vehicle and saw Jaimez pull a gun from his waist, pull back the slide on the gun, and make the gun ready to fire. Jaimez pointed the gun at Johnson's vehicle and Johnson ducked down to retrieve his

firearm from the floor. While ducked down, Jaimez shot one round through the front windshield of Johnson's vehicle. When Johnson sat up in the vehicle, Jaimez was standing at the driver's door, ordering Johnson to get out of the vehicle. Fearing for his life, Johnson stepped out of the vehicle, shoved Jaimez' hand from the door frame and shot one to two rounds at Jaimez' mid-section. Johnson tried to fire more rounds but his gun misfired possibly because Johnson's gun was pressed against Jaimez' stomach taking Johnson's firearm out of battery.

After being shot by Johnson, Jaimez began running. Detective Carpenter and Johnson began to chase Jaimez. When Johnson saw Jaimez again, Jaimez was firing several shots towards Carpenter. At this time, Johnson was with several other deputies. Jaimez was firing at deputies and Johnson and the other deputies were firing back. When Jaimez finally fell to the ground he continued to shoot at deputies. Johnson and other deputies continued to shoot at Jaimez until Jaimez dropped his gun. Johnson accompanied other deputies as they approached Jaimez to secure him.

Detective [redacted]

As part of the team assigned to take Jaimez into custody, [redacted] was driving his vehicle through the parking lot of the recycling center. Jaimez came into view and [redacted] observed Jaimez pull a firearm from his waist, pull the slide back, and make the gun ready to fire. [redacted] saw Jaimez run toward and unmarked vehicle (Johnson's vehicle) and fire at the vehicle. [redacted] saw Jaimez struggle with someone at the vehicle but was unsure who it was. [redacted] was planning to approach Jaimez from behind and take him down. However, Jaimez began to run from the vehicle, pointing the gun over his shoulder toward [redacted] thought Johnson had been shot and [redacted] began pursuing Jaimez on foot, shooting rounds as Jaimez fled. [redacted] and other deputies located Jaimez toward the intersection of Bear Valley and Central roads. Jaimez was pointing the gun from left to right at [redacted] and other law enforcement officers. [redacted] fired five to six shots at Jaimez' torso and gave commands to drop the gun. However, Jaimez fired again and [redacted] then returned fire. At this time, Jaimez dropped the gun and a cease fire was ordered.

Deputy Arturo Barrera

On June 25, 2014, Barrera was driving a marked Los Angeles County patrol car and was assisting in the arrest of Jaimez. Barrera drove his patrol vehicle into the parking lot where Jaimez was located. While getting out of his patrol car, Barrera saw Jaimez and recognized him from photographs. Barrera began giving orders for Jaimez to stop but Jaimez ran from Barrera. While rounding the corner of the building, Jaimez pulled out a firearm and continued to run. Barrera heard shots fired but did not see who was shooting, only that Detective [redacted] had been shot. Barrera gave chase to Jaimez and eventually fired three rounds at Jaimez. Jaimez continued to shoot at deputies even after going to the ground. Deputies continued to engage Jaimez until he dropped the firearm. A cease fire was ordered once deputies saw that Jaimez was no longer holding the gun.

Detective [redacted]

Detective [redacted] statement is consistent with the statement of the other law enforcement officers on scene. [redacted] fired his weapon after hearing shots being fired and after Jaimez pointed his gun at [redacted] initially fired one round at Jaimez, but the round did not appear to be affective. Jaimez pointed his gun at [redacted] and [redacted] fired an additional two rounds and Jaimez went to the ground. Jaimez still fired another round at deputies while on the ground. [redacted] fired one more round at Jaimez and then heard the cease fire order. At that time, Jaimez did not move and no longer had the gun in his hand.

Detective Michael Carpenter

Carpenter observed Jaimez at the recycling center near the intersection of Bear Valley Road and Central Road in the town of Apple Valley. When Carpenter saw Jaimez, Jaimez had a gun in his hand and had racked the slide of the gun. Jaimez appeared to be looking for someone to shoot. Carpenter gave orders for Jaimez to stop, however Jaimez did not acknowledge the order and pointed his weapon toward two undercover units. Carpenter saw Jaimez approach Lieutenant Johnson's vehicle and saw Jaimez open the driver side door. Jaimez fired two rounds at Johnson and Johnson was able to return fire. Carpenter did not shoot at this time because Jaimez was standing close to Johnson. After firing at Johnson, Jaimez ran, passing Detective [redacted] vehicle. Jaimez fired his weapon towards [redacted] hitting her back passenger window. Carpenter heard [redacted] indicate that she had been hit.

After hearing [redacted] announce she had been hit, Carpenter retrieved his rifle from his vehicle and raised it toward Jaimez. Jaimez then began shooting at Carpenter while running. Carpenter returned fire and then lost sight of Jaimez. When Carpenter regained sight of Jaimez, Jaimez was shooting toward Carpenter and Carpenter returned fire. Jaimez fell to the ground and continued firing from his weapon. Carpenter again returned fire and Jaimez finally dropped the gun. The deputies stopped firing their weapons and a team approached Jaimez to take him into custody. Jaimez was pronounced dead at the scene.

Detective Ruth Shen

The statement of Shen is consistent with the statement of other law enforcement officers. As the team moved in to apprehend Jaimez, Shen heard radio traffic indicating Jaimez was shooting. Shen later heard Detective [redacted] say that she had been hit by gunfire and another unknown deputy say that [redacted] was "down." Shen drove her vehicle north in order to contain Jaimez if he continued to run. Shen then observed Jaimez running with a handgun in his right hand. Jaimez pointed the gun at Shen but did not fire. Jaimez fired on deputies while standing in the street. Jaimez fell to the ground but continued to fire at deputies. Shen fired her weapon at Jaimez after he was

on the ground but still shooting at deputies. Shen fired three to four rounds from her weapon. Shen stopped shooting when she heard the cease fire order.

Detective [redacted]

[redacted] was at the recycling center where the LASO team was attempting to take Jaimez into custody. Not certain who was involved, [redacted] was securing other individuals around the location. [redacted] heard radio transmission indicating that Jaimez was running and that someone had been hit. [redacted] heard gunfire and went around the building where he observed Jaimez on his right side. Jaimez held up his gun and began firing at deputies. [redacted] gave commands for Jaimez to drop the gun, however the commands were unsuccessful. [redacted] fired two rounds at Jaimez. Jaimez looked at [redacted] then continued to fire at deputies. [redacted] fired additional shots and after the last shot [redacted] could no longer see the gun in Jaimez hand. [redacted] yelled "let me see your hands" to Jaimez and a team approached and cuffed Jaimez. [redacted] then cleared Jaimez' vehicle for any additional subjects.

[redacted]

[redacted] was driving on Central Road approaching Bear Valley Road and saw law enforcement at the recycling center. [redacted] could tell the individuals were law enforcement based on the green bullet proof vest and the word "SHERIFF" written across the back. [redacted] saw deputies shoot their weapons toward a Hispanic male, later identified as Jaimez. Jaimez began running towards [redacted] vehicle with his arm extended behind him, shooting at the deputies. [redacted] drove away but when he looked back he saw Jaimez shooting at deputies as Jaimez ran across Central Road. [redacted] said deputies were shooting back at Jaimez. [redacted] saw Jaimez fall to the ground and then did not hear any more gunshots.

[redacted]

[redacted] was at the intersection of Central Road and Bear Valley Road when he saw deputies pointing their firearms toward the recycling center. [redacted] then saw Jaimez run around the corner of the businesses at the location and into the street on Central. Jaimez was running and turned sideways, firing rounds at deputies. Deputies returned fire and [redacted] saw Jaimez go down to his knees. At this point [redacted] did not hear any other shots being fired.

[redacted]

[redacted] was driving with her [redacted] and [redacted] on Central Road, headed toward Bear Valley Road. At the location, [redacted] noted patrol cars and deputies with guns drawn. [redacted] heard gunshots and yelling, but could not understand what was being said. [redacted] saw Jaimez running across Central Road with his hands in the area of his waistband as though he was attempting to hold up his pants. [redacted] saw Jaimez fall to his knees and then onto his stomach. [redacted] said deputies were shooting at Jaimez. After deputies

approached Jaimez, [redacted] drove through the intersection and saw Jaimez being handcuffed.

Other law enforcement officers and civilian witnesses present during the shooting were interviewed. Their statements pertaining to the events were consistent with the statements of the above witnesses.

Review of Video Surveillance

Video surveillance was available from the recycling center and the liquor store connected to the recycling center. After reviewing both surveillance videos, the shooting by Jaimez and law enforcement is not captured. However, the video surveillance from the recycling center is consistent with law enforcement statements regarding the initial contact of Jaimez. On the video, shortly after 1700 hours, Jaimez is seen enter the recycling center in a black Nissan Titan. Jaimez exits the vehicle and walks toward the recycling center. Jaimez appears to be looking toward the street, consistent with Sergeant [redacted] observation that Jaimez had made the surveillance. The marked unit driven by Barrera can be seen pulling up in front of the recycling center and Jaimez is seen running.

Review of Scene Photographs

A review of scene photographs depicted a number of fired cartridge casings at the location. Placard 89 depicted a gun on the ground at the location Jaimez fell to the ground and was pronounced deceased. The firearm is a black Beretta, consistent with law enforcement statements regarding the color and type of firearm Jaimez was firing.

Other Relevant Information

Jaimez was wanted for PC 187, murder, for a homicide that took place in early June of 2014. Between the time of the murder and this incident, Jaimez fled from San Bernardino County Sheriff's deputies and SBSD deputies located three loaded firearms in the vehicle Jaimez fled from. Further, Jaimez was a suspect in an assault with the use of a deadly weapon that occurred in Upland.

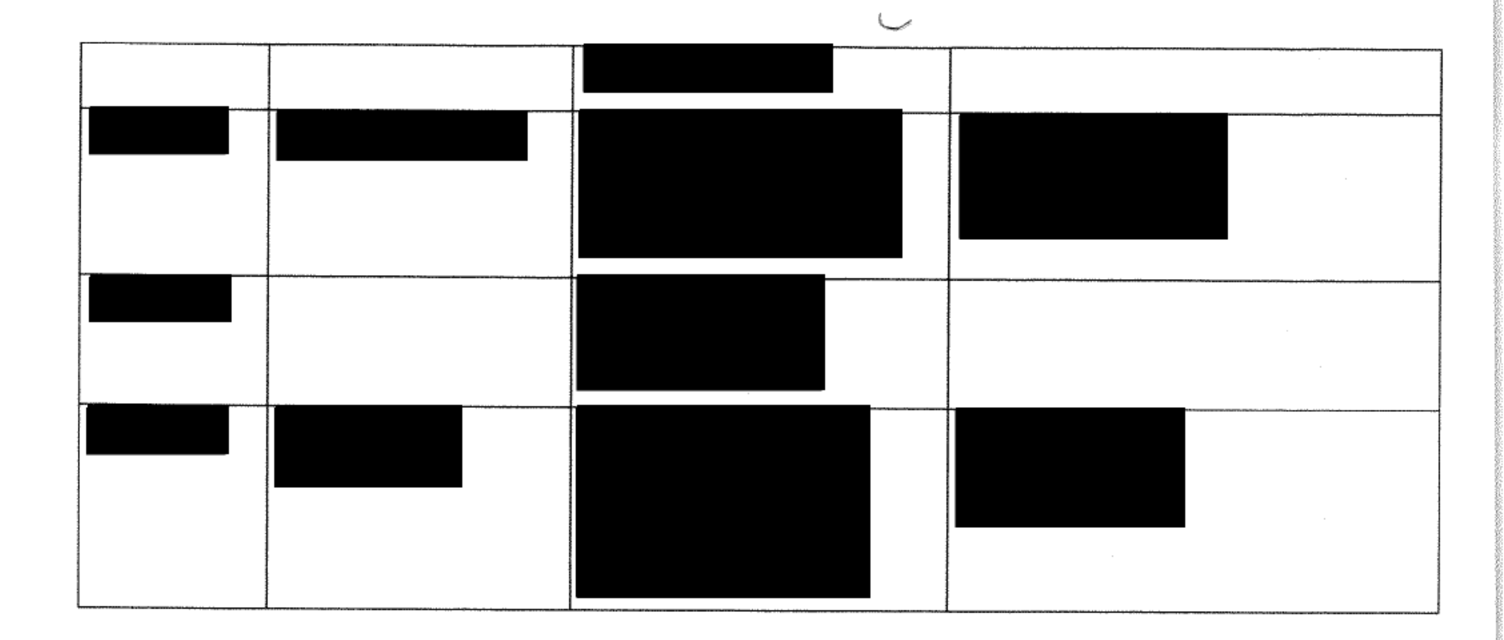
Jaimez is a known gang member and has several tattoos, including "LA" on his head, "SOUTHSIDE" on his chest, and a picture of a person shooting a handgun on his right bicep.

At the time of the body examination, Jaimez was found with brass knuckles in his front pocket.

Toxicology reports showed 16 mg/kg of methamphetamine and 2.0 mg/kg amphetamines in Jaimez system.

Jaimez' criminal history *(reflecting convicted offenses/parole violations only)* is as follows:

DATE	COURT	CRIME / VIOLATION	DISPOSITION / SENTENCE
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	



		[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]
[redacted]		[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]

Applicable Legal Standards

Self-Defense / Defense of Others Against Assault

It is lawful to use force against another person if a person reasonably believes that there was imminent danger of bodily injury to himself or someone else. The person must reasonably believe that the immediate use of force was necessary to defend against that danger. That person is only entitled to use that amount of force that a reasonable person would believe is necessary in the same situation.

In deciding whether the person's beliefs were reasonable, all the circumstances as they were known to and appeared to that person should be considered as well as what a reasonable person in a similar situation with similar knowledge would have believed. If the person's beliefs were reasonable, the danger does not need to have actually existed.

CALCRIM 3470

Self-Defense / Assailed Person Need Not Retreat

An assailed person is not required to retreat. He is entitled to stand his ground and defend himself and, if reasonably necessary, to pursue an assailant until the danger of bodily injury has passed. This is so even if safety could have been achieved by retreating.

CALCRIM 3470

Self-Defense / Actual Danger Not Necessary

The person's belief that he or someone else was threatened may be reasonable even if he relied on information that was not true. However, the person must actually and reasonably have believed that the information was true.

CALCRIM 3470

Analysis

In early June of 2014, Los Angeles County Sheriff's Department (LASO) Major Crimes Bureau, Fugitive Task Force, was investigating a homicide where the suspect was James Jaimez. LASO detectives had secured a warrant for Jaimez and were actively trying to locate him. During the time LASO was looking for Jaimez, San Bernardino County Sheriff's Deputies in the city of Adelanto were involved in a vehicle pursuit. The subject that fled from deputies was determined to be Jaimez. Jaimez was able to flee on foot from deputies but firearms were found during the search of the vehicle Jaimez vacated. On June 25, 2014, the Fugitive Task Force located Jaimez in the city of Ontario and began tracking him to a residence in Apple Valley. At that time, LASO detectives conducted surveillance on the residence and once Jaimez left the location detectives followed, waiting for an opportunity to take Jaimez into custody.

Jaimez travelled to a recycling business near the intersection of Bear Valley and Central Roads in the town of Apple Valley. Once at that location, Sergeant [redacted] noticed Jaimez watching the law enforcement vehicles and, fearing that Jaimez had identified law enforcement, [redacted] gave the direction to take Jaimez into custody. At that time, LASO personal began to engage Jaimez, several officers remained in their vehicles while others were on foot. Jaimez began to run from the location and law enforcement immediately broadcast that Jaimez was running. During this time, law enforcement was giving chase to Jaimez. Lieutenant Johnson was in his vehicle and saw Jaimez running straight toward Johnson. While running, Jaimez retrieved a firearm from his person, pulled the slide back, and fired rounds at Lieutenant Johnson, shattering his car window. At this point, Lieutenant Johnson had ducked out of sight and when he came up, Jaimez was standing at the Lieutenant's window, ordering Johnson to get out of his vehicle. Fearing for his life, Johnson stepped out of the vehicle and was able to shove Jaimez' hand from the doorframe where it was placed. Lieutenant Johnson was able to fire at least one round at Jaimez' midsection before Johnson's firearm malfunctioned. At this time Jaimez turned and fled from Johnson. After running from Johnson's vehicle, Jaimez ran by Detective [redacted] vehicle and fired rounds at her vehicle. [redacted] was hit with shards of glass. While attempting escape, Jaimez was continually turning from one direction to another, firing at law enforcement on all sides of him.

LASO continued to engage Jaimez as he ran. Jaimez ran around the liquor store at the location and crossed onto the west side of Central Road. At this time, Jaimez began to shoot several rounds at Detective Michael Carpenter who was located northwest corner of the liquor store. Lieutenant Johnson, along with other deputies, positioned himself near Detective Carpenter. Fearing for the safety of civilians in the area, Johnson assessed the surroundings and determined they could continue to engage Jaimez without unnecessary risk to civilians from law enforcement fire. Johnson and his investigators began to fire rounds at Jaimez. During this time Jaimez was firing rounds at law enforcement and law enforcement was returning fire. Eventually Jaimez fell to the ground, but was still able to hold onto the gun and continued to fire rounds at law enforcement. It appeared to LASO detectives that the initial rounds fired were not slowing down Jaimez and Jaimez was still not responding to verbal commands.

After several rounds had been fired, law enforcement was finally able to stop Jaimez and Jaimez dropped his firearm in front of him. Once Jaimez was on the ground, LASO approached and secured Jaimez in handcuffs. At that time, San Bernardino County Sheriff's department was notified of the officer involved shooting and medical attention was summoned for Jaimez. Jaimez was pronounced dead at the scene.

Conclusion

The shooting by Lieutenant Johnson, Sergeant [redacted] Detective [redacted] Detective [redacted] Detective [redacted] Detective Carpenter, Detective Shen, Detective [redacted] Detective Arellano, and Deputy Barrera was justified in self-defense and in defense of others, and no criminal liability results therefrom. LASO deputies did not fire until fired upon by Jaimez. Law enforcement continually gave verbal commands for Jaimez to drop his weapon and to stop shooting. However, Jaimez refused to listen to verbal commands and continued shooting at deputies. Fearing for their lives, the lives of their partners, and the lives of the public, LASO deputies returned fire. Each deputy used force with the belief that it was necessary to protect the lives of themselves and others. Therefore, the use of deadly force was justified.

Donna S Kauffman — 8/18/15

Donna S. Kauffman, DDA — Date
Victorville Office

8/18/15

Clark Hansen, CDDA — Date
Victorville Office

Mary Ashley, ADA
Criminal Operations

Date 9-4-15